



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning & Development

D.M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3003654/2408531

Applicant Name: Robert Humble, Humble Architects for Dr. Phuoc Q. Phi

Address of Proposal: 4441 Rainier Avenue South

SUMMARY OF PROPOSED ACTION

Land Use Application to establish use for the future construction of a four-story 11 unit-apartment building for low-income elderly residents with 1,623 square feet of retail commercial use at ground level and 3,008 square feet of medical office use at the second level. Parking for eight vehicles will be provided on surface parking lot. Project includes demolition of two existing single family dwelling units.

The following Master Use Permit components are required:

Design Review - Seattle Municipal Code (SMC) Section 23.41 with Development Standard Departures:

- 1. Open Space – To reduce the required amount of open space (SMC 23.47.024)**
- 2. Ground Floor Height – To reduce the required 13' height (SMC 23.47.008.C)**
- 3. Driveway Width – To reduce the width of the driveway (SMC 23.54.030.D)**
- 4. Parking Stall Dimensions – To provide less than the required number of large sized parking stalls (SMC 23.54.030.B)**

SEPA Environmental Review - Seattle Municipal Code (SMC) Section 25.05

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions*

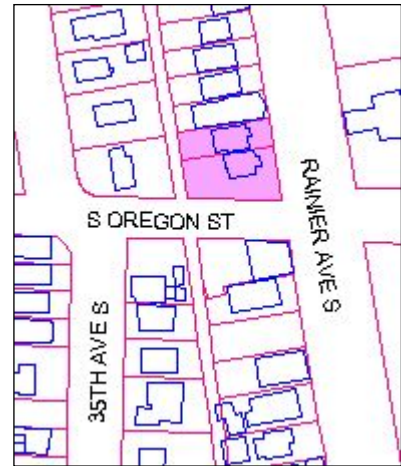
☐ DNS involving non-exempt grading, or demolition,
or involving another agency with jurisdiction.

*Notice of early DNS was published on November 17, 2005.

BACKGROUND DATA

Site Description

The subject site, located in the Columbia City neighborhood, is zoned Neighborhood Commercial/Residential 2 with a 40 foot height limit (NC2/R-40'). The site is on the northwest corner of the intersection of South Oregon Street and Rainier Avenue South. The property is comprised of two lots, each containing a single family structure. There is alley access to the site from the west. The site slopes east to west, with a grade change of approximately 16 feet.



Vicinity

The NC2-40 zone continues to the north, south and east of the subject site. Across the alley to the west, the zone changes to Single Family 5000 (SF 5000). Development to the west of the site is primarily single family transitioning to multi-family structures to the south of the site. The Columbia Park and Playfield is located southeast and across the street from the subject site. Across Rainier Avenue to the east, development is made up of lower-scale commercial structures, including office and drug store uses.

Proposal

The proposal includes demolition of the two existing residences and the construction of a new building. The new structure would be a four story mixed use building with ground level retail use, medical service use (a dentist office) on the second floor and two levels of residential use (low-income elderly housing) on the third and fourth floors. Parking for eight vehicles is to be provided at grade between the proposed structure and the alley. Access to the site is proposed from South Oregon Street.

Public Comments

No members of the public were in attendance at the Early Design Guidance meeting, held on March 8, 2005 or at the Final Design Meeting held on July 11, 2006.

The SEPA comment period for this proposal ended on November 30, 2005. Two comment letters were received requesting to be listed as a Party of Record.

ANALYSIS - DESIGN REVIEW

Design Guidance

At the Early Design Guidance meeting, the applicant presented three alternative schemes. The first scheme (Option A) included a four-story mixed use building with structured below grade parking, ground level retail covering 100% lot coverage and three floors of residential uses above. The second alternative (Option B) included a single purpose commercial structure along Rainier Avenue and a detached residential structure along the alley containing two town homes.

In this alternative, parking would be at grade and within the proposed structures. Access would be both from the alley and from South Oregon Street. The third and preferred scheme (Option C) included a four story mixed use building with ground level retail on Rainier Ave, medical service use on the second floor and six residential units on both the third and fourth levels. Parking would be located at grade and tucked under the building, as well as along the alley. In the preferred scheme, the vehicular access is from South Oregon Street. The residential lobby would be located off of South Oregon Street. The open space is located at the street level entry plaza area and private and/or communal decks. This scheme includes a recessed entry space approximately eight feet deep along South Oregon Street at the ground level, at the entry to the residential lobby and retail space. The Board agreed that Option C best satisfied the guidelines set forth as priorities for this proposal.

The landscaping plan includes a landscaped buffer area between the surface parking area and the alley, as well as preservation of the existing street trees on Rainier Avenue.

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance and identified by letter and number those siting and design guidelines found in the City of Seattle's *Design Review: Guidelines for Multifamily and Commercial Buildings* of highest priority to this project.

At the Final Recommendation meeting, a more detailed and evolved design was presented to the Board based on Scheme C shown at the first meeting. The Rainier façade includes a notched section that corresponds to a large street tree that the applicants are hoping to preserve. The second floor dental office can be accessed directly from the surface parking area to the west or via the lobby of the ground floor off of Rainier. An open colonnade area enclosing a small plaza space is shown at the southeast corner of the site. The plaza is defined by low bench seating and raised planter beds. Approximately half of the third floor has been designed as a common space for the residential tenants, including laundry, kitchen and dining areas, as well as a lounge area situated to take advantage of the solar exposure. The guidance by the Board appears after the bold guidelines text and the recommendations from the final meeting follow in italicized text.

Site Planning

A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

The Board was very supportive of pushing the rectangular building towards the southeast property lines, taking advantage of the angled corner to draw attention to the corner and locating the commercial and residential entry at the southwest corner.

At the Recommendation meeting, the Board continued to be pleased with the proposed site planning and building configuration.

A-3 Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.

The Board feels that both the residential and commercial entrance should be clearly delineated. The main entry at the corner location should be further delineated and given more prominence from the rest of the building.

The Board noted that the break in massing of the east facade suggests that an entry into the building is located at the base of the vertical notch. The Board agreed that locating a commercial entry at this location would help the east elevation read more cohesively and provide a visual cue to the commercial entrance.

The Board felt that the combined residential and office lobby was sufficiently delineated with the corner plaza, landscaping and signage. The vertical break between the two commercial spaces reinforces the building symmetry and allows greater room for the street tree.

A-4 Human Activity. New development should be sited and designed to encourage human activity along the street.

The Board agreed that the design and building program should encourage pedestrian activity. The commercial spaces should utilize transparent windows and overhead weather protection and other elements that encourage pedestrian traffic to, from and around the site. The Board strongly encouraged use of operable windows at ground level. See A-2.

The proposed design includes large, transparent and operable windows at the ground level, as well as steel overhead weather protection. The Board felt that the canopies might be located too high above the sidewalk. The Board agreed that the canopy height must be both functional and well-scaled to the building. Clarification from the applicant showed that the canopies were approximately 11 feet high, which the Board thought was a reasonable height. The Board did encourage the window design to include transoms or other detail that emphasizes the commercial base.

A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

The Board supports the density and diversity of uses captured within the proposed development. The Board also agreed that situating the building bulk towards the eastern half of the site provided the greatest sensitivity to the abutting Single Family zone. The natural slope and proposed landscaped buffer along the west side of the parking area further minimizes the impact of the proposal on the single family neighbors.

The Board continued to support the site plan configuration locating massing away from the single family zone and providing a sensitive transition to the single-family zone.

A-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

The Board looks forward to reviewing a high-quality, well programmed and well landscaped entry plaza, decks and parking lot buffer area. The Board noted that the requested open space departure is considerable and the design must include elements that emphasize the quality and experience of the open spaces, as well as the residential common room. The Board stressed that western and southern solar exposure should be maximized to the site.

At the Recommendation meeting, the Board was supportive of the open space design that includes operable glazed doors and windows at the ground level and the landscaped plaza area with a Japanese style water feature and seating wall. The perimeter plantings reference Japanese landscape design using Japanese Waxleaf, Heavenly Bamboo and Japanese Aralia. The common room on the third floor includes operable windows and doors that open to a common deck with potted plants. The Board was pleased with the details of this design such as the hose bib located at the common deck areas for the residential tenants to use.

A-8 Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties, and pedestrian safety.

The Board recognizes that the site's topography limits the vehicle access from the alley. Therefore, the Board supports taking access from South Oregon Street. The driveway should, however, be designed to minimize intrusion on the sidewalk and be clearly delineated so that pedestrians are aware of vehicles accessing the site.

At the Recommendation meeting, the Board was very supportive of the reduced driveway width and delineation of the paving pattern at the driveway, which minimizes interruption of the sidewalk and clearly marks both the sidewalk and driveway to alert pedestrians and drivers alike.

A-10 Corner Lots. Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners. The Board noted the high visibility of the northwest corner of the site given the shift in the street grid. The jog in the Rainier Avenue alignment creates numerous views of this site from several vantage points. Therefore, the Board supports wrapping of the colonnade design around this corner of the building. The design of this corner entry should create visual interest and draw attention to this corner location.

At the Recommendation meeting, the corner plaza and colonnade design was well-received by the Board.

Height, Bulk, and Scale

B-1 Height, Bulk, and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to nearby, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between the anticipated development potential on the adjacent zones.

The Board supported a design that maximizes the potential development allowed by the underlying zone. However, the Board stated that the design and massing of the east façade should be sensitive to the lower scale (both existing and future) of the abutting Lowrise zone. The Board acknowledged that the preferred scheme divides the building mass into a configuration that is most sensitive to the abutting zone. Setting back from the eastern property line should be a priority in the configuration of the building masses. The Board also noted that western and southern solar exposure should be maximized. *See A-5 and A-7.*

Architectural Elements

C-1 Architectural Context. New buildings proposed for existing neighborhoods with a well defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

The Board recognized that the existing development in the neighborhood consists of a mix of styles and that no particular design character dominates the area. For this reason, the Board noted that the design of this structure should be cohesive and set a strong example for future development.

At the Recommendation meeting, the Board expressed support for the proposed design and agreed that it would be a positive contribution to the architectural character of the neighborhood.

C-2 Architectural Concept and Consistency.

- **Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.**

The Board agreed that pushing the structure to the Rainier Avenue side of the site establishes a desirable urban street presence. The length of the proposed east façade has been broken into two principal bays separated with a vertical notch. The width of these bays reflects the rhythm of development further down Rainier Avenue. The notched space is approximately as wide as half of the bays on either side. The depth of this notch would accommodate a recessed deck.

The Board was pleased with the development of the design concept presented at the Early Design Guidance meeting.

- **Buildings should exhibit form and features identifying the functions within the building.**

The Board feels that the Rainier Avenue vertical notch should delineate an entrance to the building. See A-3.

The Board agreed that the notch provided both a strong break in the building massing and helps create more space for the street tree canopy. Upon reviewing the final design, the Board did not recommend an entry at this location.

C-3 Human Scale. The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.

C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

The Board looks forward to reviewing a more detailed materials and color palette that is of high quality and consistency. The Board recommended brick over CMU and encouraged inclusion of other details that provide reference to the surrounding context. An example would be the inclusion of cast lintels at the column bases.

At the Recommendation meeting, the Board was pleased with the proposed material palette which includes a concrete base, giant brick columns, dark green board and batten hardi panel siding with dark grey metal box rib siding in the vertical notch area along Rainier. The commercial storefront system is a large transparent, operable windows with black metal frames. Metal overhead canopies are proposed 11 feet above the storefront windows. The proposed signage includes smaller scaled blade signs.

- C-5 Structured Parking Entrances.** The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.

The Board strongly agreed that although the parking area is unenclosed, the design should strive to create a safe, well-lit and visible parking area. See D-4 and D-5.

At the Recommendation meeting, the design of the surface parking lot satisfied the Board's earlier guidance. Light standard stanchions and downcast light elements have been included. Also, the garbage and recycling area will be lit by a timer. See also D-7.

Pedestrian Environment

- D-1 Pedestrian Open Spaces and Entrances.** Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

See A-10.

- D-2 Blank Walls.** Building should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.

- D-4 Design of Parking Lots Near Sidewalks.** Parking lots near sidewalks should provide adequate security and lighting, avoid encroachment of vehicles onto the sidewalk, and minimize the visual clutter of the parking lot signs and equipment.

The Board noted that views of the surface parking area should be minimized through landscaped buffers. Lighting fixtures and other features, such as signage, that are sensitive to the abutting residential zone are also desirable in integrating the parking area into this transitional area of zone edges. The Board recommended stanchions with directional down-ward facing lights.

See C-5 and D-7.

- D-5 Visual Impact of Parking Structures.** The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.

For those covered parking spaces located along the west façade of the proposed building, effort should be made to minimize the presence of vehicles. See D-4.

The Board agreed that the proposed departure, in addition to the perimeter landscaping, fencing and retaining wall, and paving demarcation have created a friendly pedestrian environment along South Oregon Street.

- D-6 Screening of Dumpsters, Utilities, and Service Areas.** Building sites should locate service elements like trash dumpsters, loading docks, and mechanical equipment away from the street where possible. When elements such as dumpsters, utility meters, mechanical units, and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

At the Recommendation meeting, the Board was pleased that all of the service elements have been located at the rear of the building and screened from view.

- D-7 Personal Safety and Security.** Project design should consider opportunities for enhancing personal safety and security in the environment under review.

The Board agreed that lighting and clear visibility through the parking areas is critical for maintaining a safe environment. The Board also noted that materials (coatings) that are resistant to graffiti are desirable.

The design description presented at the Recommendation meeting included downward cast light fixtures located through out the parking lot area, of which the Board was pleased.

The plans do not yet show the location of these fixtures. This information should be provided to DPD.

Landscaping

- E-2 Landscaping to Enhance the Building and/or Site.** Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.

The Board recognized that the landscaped buffer between the parking lot and the alley to the west will be critical in screening the density and bulk of the proposed development from the single family neighbors and help to maintain the privacy of the neighbors. The vegetation and perimeter fencing should also protect the surrounding properties from car headlights. The Board supported the preservation of the existing Maple trees along Rainier Avenue.

The landscape design presented at the Recommendation meeting included preservation of the street trees along Rainier. At the corner plaza area, low box wood hedges, built in seating wall/raised planter, a focal feature (such as a sculpture) and paving differentiated from the sidewalk were shown. Planting against the building, along the Oregon street frontage includes bamboo and Magnolia trees. The pathway along the building between the west façade and the parking lot also has differentiated paving and

potted trees. The entire surface parking lot is bordered by a landscape buffer that includes trees and shrubs. A six foot tall wooden fence was also proposed around the perimeter, in addition to a retaining wall along the west property line. Low step lights and up-lighting of the plantings was also included in the design. The Board was very pleased with the proposed landscape design and treatment of the public corner space.

DEVELOPMENT STANDARD DEPARTURES

The following departures from the development standards were proposed:

- 1. OPEN SPACE (SMC 23.47.024):** The applicant proposes a development standard departure to decrease the open space requirement from 20% to 11% of the residential gross floor area. In addition to the Code complying open space, open space will also be located at a ground level entry plaza space and on communal decks at the residential levels. Additional landscaping around the perimeter of the parking lot is also provided, but also does not meet the required minimum open space dimensions. The Board was very pleased with the provision and design of the small public corner plaza space. They also agreed that the communal space provided within the building was well-conceived and configured. This space, along with the decks, appears to be well-suited to and appropriate for the intended residential tenants. The Board unanimously recommended approval of the requested departure. (E-2)
- 2. GROUND FLOOR HEIGHT (SMC 23.47.008.C):** The applicant proposes reducing the height of the ground level commercial floor from 13 feet to 11 feet. The Board was supportive of the departure provided that several changes to the design were made that enhanced the prominence of the corner and gave the appearance of additional height at the commercial base. The Board unanimously recommended approval of the requested departure. (A-3, A-4, A-10)

Recommended Condition #1: The overhead metal canopy should wrap the corner of the building for at least the width of the first bay on South Oregon to help accent the prominence of this corner. Also, the blade signs shown on the columns should drop from the canopies.

Recommended Condition #2: The storefront glazing shall be shown for the full floor to ceiling height of ground level spaces.

Recommended Condition #3: The commercial storefront windows shall include transoms windows or other configuration that emphasizes the commercial base.

- 3. DRIVEWAY WIDTH (SMC 23.54.030.D):** The applicant proposes reducing the driveway width from 22 feet to 16 feet. The Board was very supportive of the proposed departure as it minimizes intrusion on to the sidewalk from a larger curb cut and leaves more room for landscaping around the site. The Board unanimously recommended approval of the requested departure. (A-8, C-5, D-5)

- 4. PARKING STALL DIMENSIONS (SMC 23.54.030.B):** The applicant proposes to alter the mix of parking stall sizes. The Code requires that 75% of the stall be striped for large vehicles and a minimum of 25% of the stalls be striped for small vehicles. The proposed design includes 75% medium sized stall and 25% small sized stalls. The proposed design shows 75% of the spaces striped for medium sized stalls and 25% striped for small sized vehicles. The Board agreed that this departure further minimizes the impact of the surface parking lot and allows for a safer and improved pedestrian connection to the building's west entrance with a wider pathway and additional landscaping. The Board unanimously recommended approval of the requested departure. (C-5, D-5, E-2)

Recommended Condition # 4: A bike rack shall be included as a feature in the corner plaza area.

Departure Summary Table

STANDARD	REQUIREMENT	REQUEST	JUSTIFICATION
OPEN SPACE SMC 23.47.024	20% = 1,417 SF	11% = 762 SF Private/communal balconies and ground level plaza space. Landscape buffer around parking area.	Although not meeting Code, the inclusion of interior common areas on the 3 rd floor, the common and private decks and the entry plaza increase the open space provision to over 21% effectively meeting the objectives of the open space provisions.
GROUND FLOOR HEIGHT (SMC 23.47.008.C)	13'	11'	Appearance of the commercial height maintained through enhanced storefront window system and canopies.
DRIVEWAY WIDTH (SMC 23.54.030.D)	22'	16'	Reduces width minimizes the intrusion onto the sidewalk and allows for greater landscaping around the site's perimeter.
PARKING STALL DIMENSIONS (SMC 23.54.030.B)	75% large min 25% small max	75% medium 25% small	Able to provide wider pathway and landscaping elements along building edge.

Summary of Board's Recommendations

The recommendations summarized below are based on the plans submitted at the Final Design Review meeting. Design, siting or architectural details specifically identified or altered in these recommendations are expected to remain as presented in the presentation made at the July 11, 2006 public meeting and the subsequent updated plans submitted to DPD. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the Design Review Board members recommended **CONDITIONAL APPROVAL** of the proposed design including the requested departures subject to the following design elements in the final design including:

1. The following architectural features and details presented at the Final Design Review meeting and described under Guidelines A-4, A-7 and E-2:
 - a) Signage and lighting;
 - b) sidewalk patterns;
 - c) extensive ground level landscaping; and
 - d) large, transparent storefront windows.
2. As described under Guideline A-7, the entry courtyard design presented at the Final Design Review meeting.
3. As described under Guideline C-4, the building materials presented at the Final Design Review meeting.

The recommendations of the Board reflected concern on how the proposed project would be integrated into both the existing streetscape and the community. Since the project would have a strong presence along Rainier Avenue, the Board was particularly interested in the establishment of a vital design that would enhance the existing streetscape and encourage pedestrian activity.

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD Director's decision reads in part as follows:

The Director's decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:

- a. *Reflects inconsistent application of the design review guidelines; or*
- b. *Exceeds the authority of the Design Review Board; or*
- c. *Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or*
- d. *Conflicts with the requirements of state or federal law.*

Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

Four members of the Southeast Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3). The Director agrees with the well-considered street level details, building materials, and architectural design that support a high-quality, functional design responsive to the neighborhood's unique conditions. Most of the recommendations made by the Design Review Board have already been reflected in the plans. The Director accepts the conditions recommended by the Board that further augment Guidelines A-2, A-4, A-10, C-2, C-4 and E-2 and support the case in favor of granting departure from the development standards.

1. **The overhead metal canopy should wrap the corner of the building for at least the width of the first bay on South Oregon to help accent the prominence of this corner. Also, the blade signs shown on the columns should drop from the canopies.**
2. **The storefront glazing shall be shown for the full floor to ceiling height of ground level spaces.**
3. **The commercial storefront windows shall include transoms windows or other configuration that emphasizes the commercial base.**
4. **A bike rack shall be included as a feature in the corner plaza area.**

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include all of the recommendations of the Design Review Board.

The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board.

Director's Decision

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Design Review Board agreed that the proposed design, along with the conditions listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departures with the conditions summarized above and enumerated at the end of this Decision.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated October 21, 2005. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations and/or circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from construction activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction materials hauling, equipment and personnel; increased noise; and consumption of renewable and non-renewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts:

- The applicant estimates that the excavated materials will be remain on-site.
- The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction.
- The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way.
- Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general.
- Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city.

Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, given the amount of building activity to be undertaken in association with the proposed project, additional analysis of air quality, noise, grading and traffic impacts is warranted and summarized below:

Environmental Element	Discussion of Impact
1. Traffic	<ul style="list-style-type: none">• Increased vehicular traffic adjacent to the site due to construction vehicles.
2. Construction Noise	<ul style="list-style-type: none">• Increased noise from construction activities.

Construction: Traffic

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with construction activities.

Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during excavation and construction activities. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allows the reviewing agency to mitigate impacts associated with transportation during construction. The construction activities will require the removal of material from site and can be expected to

generate truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations.

It is expected that most of the demolished materials will be removed from the site prior to construction. During demolition, existing City code (SMC 11.62) requires truck activities to use arterial streets to the greatest extent possible. This immediate area is subject to traffic congestion during the p.m. peak hour, and large construction trucks would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675(B) (Construction Impacts Policy) and SMC 25.05.675(R) (Traffic and Transportation), additional mitigation is warranted.

1. For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays.

This condition will assure that construction truck trips do not interfere with daily p.m. peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of existing City Code (SMC 11.62).

For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site.

The Street Use Ordinance requires sweeping or watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. This ordinance provides adequate mitigation for transportation impacts; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Noise

There will be excavation required to prepare the building site and foundation for the new building. Additionally, as development proceeds, noise associated with construction of the building could adversely affect the surrounding residential and community center uses. Due to the proximity of these uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

2. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:00 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays (except that grading, delivery and pouring of cement and similar noisy activities shall be prohibited on Saturdays). This condition may be modified by DPD to allow work of an emergency nature. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.

Long-term Impacts

Long-term or use-related impacts associated with approval of this proposal include stormwater and erosion potential on site. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically, the Stormwater, Grading and Drainage Control Code which requires on-site detention of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; and the City Energy Code which will require insulation for outside walls and energy efficient windows.

Compliance with all other applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning is warranted by SEPA policies.

Due to the type, size and location of the proposed project, additional analysis of the traffic impacts is warranted and summarized below:

Traffic

The vehicular traffic generated by the project will be both residential and business-related and will likely peak during the weekday PM hours. Trip generation information has been calculated using average PM peak hour trip generation rates obtained from the Seventh Edition of the ITE *Trip Generation Manual*. For the existing and proposed developments, trip generation rates associated with Single Family Detached, Senior Adult Housing –Attached, Clinic and Specialty Retail Center (most similar to retail use proposed) were used. The results of the trip generation are shown below:

Trip Generation Calculations: Existing & Proposed Use

Use	Use Per ITE Land Use	Use Per SMC	Variable	PM Peak Trips Generated	Total PM Peak Trips Generated
Proposed	Video Rental Store (ITE 814)	Commercial Retail Sales and Service	1,623 SF	5.02/1,000 SF = 8.1	14
Proposed	Clinic (ITE 630)	Medical Services	1 FT Doctor	4.43 = 4.43	
Proposed	Senior Adult Housing –Attached (ITE 252)	Low-Mod Income Housing	11 units	.11/unit = 1.2	
Existing	Single Family Detached Housing (ITE 210)	Single Family Residential	2 units	1 =2	2
Net New Trips					12

Using the ITE data and peak hour count, there will be approximately 12 additional trips in the PM peak hours associated with the proposed combination of uses. These additional trips do not reflect any reduction in trips due to use of the retail by project residents. Again, these ITE figures tend to be higher than what is expected in an urban environment where transit readily services this neighborhood and provides direct connections to downtown Seattle. This relatively low number of additional trips will not adversely impact the existing levels of service of surrounding intersections.

The estimated increase in trips during the PM peak hours is not considered a significant impact and no mitigation measures or further conditioning pursuant to the SMC Chapter 25.05, the SEPA Ordinance are warranted.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2C.
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

CONDITIONS – SEPA

The owner applicant/responsible party shall:

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

1. For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays.
2. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:00 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays (except that grading, delivery and pouring of cement and similar noisy activities shall be prohibited on Saturdays). This condition may be modified by DPD to allow work of an emergency nature. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.

CONDITIONS – DESIGN REVIEW

Prior to MUP Issuance (Non-Appealable)

3. Update the submitted MUP plans to reflect all of the recommendations made by the Design Review Board and reiterated by the Director's Analysis.
4. The plans do not yet show the location of the light fixtures in the parking lot. This information should be provided to DPD pursuant to the description provided at the Recommendation meeting.
5. All zoning and SDOT requirements shall be satisfied.

Prior to Building Permit Issuance

The plans shall be revised as follows:

6. The overhead metal canopy should wrap the corner of the building for at least the width of the first bay on South Oregon to help accent the prominence of this corner. Also, the blade signs shown on the columns should drop from the canopies.
7. The storefront glazing shall be shown for the full floor to ceiling height of ground level spaces.
8. The commercial storefront windows shall include transoms windows or other configuration that emphasizes the commercial base.
9. A bike rack shall be included as a feature in the corner plaza area.
10. The plans shall reflect those architectural features, details and materials described under Guidelines A-2, A-4, A-10, C-2, C-4 and E-2.

NON-APPEALABLE CONDITIONS – DESIGN REVIEW

11. Prior to Issuance of the Certificate of Occupancy, compliance with conditions #5-9 must be verified and approved by the Land Use Planner prior to the final building inspection. The applicant/responsible party is responsible for arranging an appointment with the Land Use Planner at least three (3) working days prior to the required inspection.
12. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Lisa Rutzick, 386-9049), or by the Design Review Manager (Vince Lyons, 233-3823). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.
13. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD Land Use Planner assigned to this project or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least three (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

14. Embed all of the conditions listed at the end of this decision in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.
15. Embed the 11 x 17 colored elevation drawings from the DR Recommendation meeting and as updated, into the MUP plans prior to issuance, and also embed these colored elevation drawings into the Building Permit Plan set in order to facilitate subsequent review of compliance with Design Review.
16. Include the departure details in the Zoning Summary section of the MUP Plans and on all subsequent Building Permit Plans. Add call-out notes on appropriate plan and elevation drawings in the updated MUP plans and on all subsequent Building Permit plans.

Compliance with all applicable conditions must be verified and approved by the Land Use Planner, Lisa Rutzick, (206-386-9049) at the specified development stage, as required by the Director's decision. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved. **Prior to any alteration of the approved plan set on file at DPD, the specific revisions shall be subject to review and approval by the Land Use Planner.**

Signature: (signature on file)
Lisa Rutzick, Land Use Planner
Department of Planning and Development

Date: September 14, 2006

LRC:ga

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